

Special Town Board Meeting  
Springfield Town Hall  
6157 CTH P Dane WI 53529  
Wednesday, April 30, 2014 at 6 P.M.

Chair Don Hoffman called the meeting to order at 6 p.m., present were Don, Supervisors Art Meinholz, Dan Dresen, Dave Laufenberg and Jim Pulvermacher, Attorney Mark Hazelbaker, MSA Environmental Engineer Dick Lyster, Attorney Robert Proctor, Jim Wills and Deputy Clerk/Treasurer Jan Barman. The Pledge of Allegiance was recited.

Confirmation of Compliance to Open Meetings Law – posted at Town Hall, corner of Hwy K and Church Rd and Schneider Road Business Centre on Schneider Road and on the Town website.

Informal Public Comment Time – none

Schneider Road Business Centre, LLC – Jim Wills provided a copy of the City of Waterloo sample of a TID for our review. The VPLE (Voluntary Party Liability Exemption) form from the WI/DNR has been completed to receive the application from the Board of Commissioners of Public Lands (BCPL) document to apply for Remediation Tax Incremental Financing (ERTIF).

Jim Wills filed remediation plans with the DNR – drilling holes to delineate the exact site and looking for contamination within this area. Well water is tested through another process.

Dick Lyster, MSA, (identified himself as a technological guy) environmental issues/brownfields (landfills) are environmental impaired properties. Bob Bong's fuel tanks could be contaminated soil possibly.

Town could be responsible because there was a landfill on this site, these materials are low risk, if nasty (contaminates) and leaked into the groundwater the DNR could come after the town.

According to Dick the DNR needs to identify the environmental problems and how to remedy them. Phase I of this process has already been done and they are now into Phase II which is testing more of the area. Phase II found with 8 test borings with GEO probe, septic system and work area salvaging, concrete, glass, brick, shingles as no delineation has been done at this time will need to have a complete assessment before going forward. Need to find out how to fix whatever the problem is. Capping is a solution, depends upon what is going to be built on the property. Storage units are favorably looked at by the DNR and schools.

No gross contamination has been found, PHA compounds typical in these sites, nothing found that is causing a serious issue. Once we would receive a certificate letter from the DNR they could no longer come back to the Town or Jim Wills to fix any problems, if a closure letter is received means it could be reopened at some point.

According to Atty Hazelbaker this is historically a minor risk.

Jim P would like to document that nothing is too nasty there for down the road.

Atty Hazelbaker – Town is allowed to use TIF (TID) for this purpose. The capping would be a development cost to Jim Wills.

The Town could be investing \$1 million to get \$8 million back in revenue, so would be beneficial to town.

Jim Wills – There is a big unknown chunk of what kind of costs and dollars to do this project at this time and looking at the worst case scenario is if a hot pocket and would need to excavate the area and then refill with dirt.

Atty Proctor – Value of increment, estimate of all costs that could be recovered as part of a TID (\$1 million, higher in case of worst case scenario) for testing and capping. Taxes created from development will pay for the repayment of this loan. But until this loan is repaid no one gets their cut of the tax revenue; not the schools, state, county or town until the loan is paid off. Then it goes on the books for tax revenue. If a TIF (TID) is adopted, Jim Wills will personally guarantee repayment.

Atty Hazelbaker – once you are aware of any hazardous conditions you have to fix them.

Jim P – joint expenses – who controls the money, ability to use TIF to fix issues.

Atty Hazelbaker – Development agreement and draw requests – MSA can authorize the work/payments. Town will approve the withdrawal of funds. 4% on \$1 million for 15 years will be \$40,000/year interest. Adds \$4 million to value at 23 mils or higher to pay that back but we are at 17 mils and would only generate \$56,000/year instead of \$90,000 as Mark figured. The storage site value should be \$2-2½ million in revenue plus the other parcel's value.

Art - \$8-10 million for the whole site when sold out, 2 more business buildings by end of year and would like to build all the storage units at once – not phases.

Jim P would vote to get application to apply for loan from the state and pay the \$250.00 for worksheet for application. Also, have MSA get the cost to create the document and project and then an agreement on what to pay (\$10-15,000 for this).

Will need to have a joint review board – representatives from the Town Board, County, Madison Tech College, Middleton-Cross Plains Area School District and a public member appointed by the Town.

Don asked about payment plan.

Atty Hazelbaker – set up plan to pay off, can close a TIF early, if money is there.

Atty Proctor – Conservative plan – 10 years modest on increase in values, if greater values will pay off sooner.

Atty Proctor – Jim Wills is responsible for any shortfall, if low any year, Jim pays if higher, Jim benefits.

Dan – will they have to build within a certain amount of time, Jim Wills – yes, this will be in the developers agreement.

Dan – If anyone votes against this TIF is it majority rules or one vote against and it is done. Majority rules.

Atty Hazelbaker – Money loaned to Town and will need to be underwritten and they will check very carefully for payback and the generation of revenue.

Don – State or bank loan – Jim would personally guarantee it.

Art – Finished project if this wasn't done?

Jim Wills – Geo grid – stabilization – over excavate, spread footings underneath.

Dave – if still a town landfill area, we would be responsible for this all.

Jim Wills – need to get the VPLE started to continue.

Don – Swamp area the town's responsibility?

Atty Proctor – Recycle brownfield and lead to a nice site for the town and remove any liability on this property.

Atty Hazelbaker – Development costs included in this situation to clean up, construction contract is there. Development-environmental/slab part of TIF.

Jim Wills - \$250 is part of this – town, order worksheet/cost sharing.

Atty Proctor – needs to be done by October because the value of Encore Construction was built after January 1<sup>st</sup> and not on the assessment roll until then for the next year's taxes, will be included in the equalized value for next year.

Don – MSA for an estimate on preparing a TIF district.

Motion (Dresen/Meinholz) authorizes clerk/staff to prepare the application and sign onto the VPLE application and public trust fund by next Tuesday. Motion carried, 5 – 0.

Motion (Pulvermacher/Laufenberg) MSA to create a project plan for TIF agreement with Jim Wills, not to go over \$15,000 in cost, town responsible for half the costs if this project does not go through and agreement with Jim Wills on this. Atty Hazelbaker added to motion that the town reserves the right to refund all monies that it expends on any unused TIF funds.

Jim and Dave accepted this amendment to their motion. Motion carried, 5 – 0.

Written agreement for Tuesday's meeting (May 6, 2014). Agreement and estimate for Tuesday agenda. Jim Wills asked for the dollar amount for the retainer fees for professionals, Jan will check and email Jim with the amount.

Jim Wills will also contact Bob Bong and ask if he would like to be a part of this application.

Mark suggested a paragraph or two that the office staff could hand out to the public to explain the TIF, which he will provide.

Motion (Pulvermacher/Dresen) to approve the bills as presented. Motion carried, 5 – 0.

Motion (Laufenberg/Meinholz) to adjourn at 8:40 p.m. Motion carried, 5 – 0

Jan Barman  
Deputy Clerk/Treasurer

**MINUTES APPROVED 05/06/2014**